



FOR IMMEDIATE RELEASE

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DHS Reaches an Agreement with Disability Advocates to Strengthen In-Home Care for Older Adults and People with Physical Disabilities

Portland, Oregon—The Department of Human Services Aging and People with Disabilities program (APD) today announced that it reached an agreement with Disability Rights Oregon (DRO), Legal Aid Services of Oregon (LASO), and the Oregon Law Center (OLC) to strengthen in-home services.

As a result of the agreement, people who receive hourly in-home care may see their hours of service increase modestly or remain the same. People who used to receive live-in care will be reviewed individually to set an appropriate number of hours for their in-home care services. Everyone getting any kind of in-home care will receive clearer explanations of how their services are determined.

Thousands of Oregonians with physical disabilities or older Oregonians wish to live independently, but need help meeting their daily care needs. APD's in-home services make it possible for these individuals to safely stay in their homes, and APD's long-term care residential services make it possible for many Oregonians to live in a home-like residential setting and get the care they need. Long-term care is generally not covered by traditional health insurance or Medicare.

APD provides long-term care to about 35,000 low income older adults and Oregonians with physical disabilities. This includes about 19,000 people who get services in their own homes.

In 2017, APD announced a number of changes to that would end a service option for live-in caregivers, reduce the number of care hours available to some individuals, and make it more difficult for some individuals to qualify for services. APD worked with DRO,

LASO, and OLC to address concerns with how these changes impacted the individuals who use these vital services and supports.

On February 7, 2018, DRO, OLC, and LASO reached a temporary agreement with APD to restore some services while the groups worked on a final agreement. On May 7, 2018, the advocacy organizations reached a final agreement with APD.

Under the agreement, APD has committed to:

1. Improving the notices that consumers receive when their services are reduced, terminated, or denied.
2. Enacting new administrative rules that will improve the transparency and fairness of the process for getting exceptional in-home hours that exceed regular maximums.
3. Restoring the maximum hours available for each Activity of Daily Living (ADL). ADLs are those personal functional activities required by all of us for continued well-being, health and safety. The affected ADLs include bathing, eating, mobility, and dressing.
4. Requiring that individuals will be assessed based not just on their ability to do tasks, but on their ability to do them in a safe and dignified manner comparable with how tasks would be performed by an individual not receiving services.
5. Removing a rule that would consider whether an individual's decision not to take medication was impacting their cognitive function.
6. Conducting surveys of individuals' satisfaction with their services and any unmet needs.
7. Prior to July 31, 2018, conducting a review of service plans for all individuals who were enrolled in the live-in service option as of July 27, 2017. The live-in service option has ended and will not be restored. APD has committed to have the central office review all service plans for this group of former live-in consumers to ensure that they receive all services for which they are eligible, which may increase shift services. APD intends to provide these individuals with notice of their new service plans and the opportunity to challenge any denial or partial denial of exceptional service hours and/or shift services.

APD, DRO, LASO, and OLC look forward to continuing to work together to advance our shared goal of ensuring effective and sustainable services that will allow Oregon's older adults and people with disabilities to continue to lead safe and healthy lives in their homes and communities.

Additional Resources:

[Term Sheet and Standstill Agreement](#) (February 7, 2018)

[Memorandum of Understanding](#) (May 7, 2018)

About Disability Rights Oregon

Disability Rights Oregon upholds the civil rights of people with disabilities to live, work, and engage in the community. The nonprofit works to transform systems, policies, and practices to give more people the opportunity to reach their fullest potential. For 40 years, the organization has served as Oregon's Protection & Advocacy system.

About Oregon Law Center and Legal Aid Services of Oregon

The mission of Oregon Law Center and Legal Aid Services of Oregon is to achieve justice for low-income Oregonians by providing a full range of the highest quality civil legal services. The Center and Legal Aid work closely with other legal services programs, the government, the private bar and social agencies to assist low income Oregonians throughout the state in civil legal matters.

About DHS' Aging and People with Disabilities program

The Aging and People with Disabilities program, within the Oregon Department of Human Services, works to ensure that older adults, people with physical disabilities and their families have easy access to services, support and early interventions that help maintain independence, promote well-being, honor choice, respect cultural preferences and uphold dignity.